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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/293,670	04/16/1999	JOSEPH FISHER	A-68104/DJB/	5176

7590 04/29/2002

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EXAMINER

CELSA, BENNETT M

ART UNIT	PAPER NUMBER
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1627

DATE MAILED: 04/29/2002

25

Please find below and/or attached an Office communication concerning this application or proceeding.

UNITED STATES DEPARTMENT OF COMMERCE
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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/ 293, 670			

EXAMINER	
CELSA, BENNETT	
ART UNIT	PAPER NUMBER
1627	25

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

Notice To Comply: (BONAFIDE ATTEMPT)

The communication filed 3/19/00 in paper no. 8 submitting a computer readable form (CRF) and a Preliminary Amendment is acknowledged. The computer readable form has been entered.

However, the Preliminary Amendment attempting to insert a large number of sequence identifiers into the specification was refused entry (by the clerk) since the nature of the amendments or the legibility of the application papers renders it difficult to consider the application, or to arrange the papers for printing or copying.

Accordingly, this application still fails to comply with the sequence rule requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence.

In order to be in conformance, applicant MUST submit a **SUBSTITUTE SPECIFICATION** pursuant to MPEP 608.01(q) providing the sequence identifiers for all of the necessary sequence.

APPLICANT IS GIVEN one month FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY. Failure to comply will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). However, applicant cannot extend beyond the sixth month period from the mailing date of the original Notice to Comply (e.g. mailed 2/25/02).

Please Note: A reply to a notice to comply with the sequence rules should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office.

Please direct all replies to the United States Patent and Trademark Office via one (1) of the following:

1. Electronically submitted through EFS-Bio

(<<<http://www.uspto.gov/ebs/efs/downloads/documents.htm>>>, EFS Submission User Manual - ePAVE)

2. Mailed to:

U.S. Patent and Trademark Office
Box Sequence, P.O. Box 2327
Arlington, VA 22202

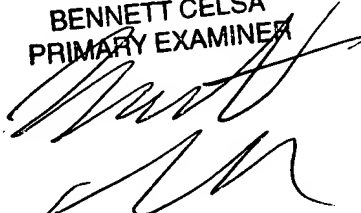
General information regarding further correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Celsa whose telephone number is (703) 305-7556.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jyothsna Venkat, can be reached at (703)308-2439. . Any inquiry of a general nature or relating to the status of the application should be directed to the group receptionist whose telephone number is (703)308-0196.

Examiner Celsa (AU 1627)
April 25, 2002

BENNETT CELSA
PRIMARY EXAMINER



NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: Specification
does not contain sequence identifiers _____

Applicant Must Provide:

An amendment inserting sequence identifiers in the specification (and drawings if appropriate) and state that the amendment does not introduce new matter. (substitute spec needed)

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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